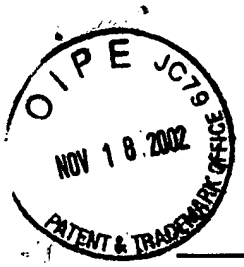
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PATENT
(5681-10100/ P7074)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/092,170
Filed: March 6, 2002
Inventor(s):
John G. Kennedy

Examiner: Uknown
Group/Art Unit: 2152
Atty. Dkt. No: 5681-10100

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on the date indicated below.

Robert C. Kowert
Name of Registered Representative

Signature

November 13, 2002
Date

Title: **SYSTEM AND METHOD FOR DETERMINING AVAILABILITY OF AN ARBITRARY NETWORK CONFIGURATION**

INFORMATION DISCLOSURE STATEMENT

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant requests consideration of ☒ the references listed on the attached Form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A copy of each reference listed on the Form PTO-1449 is enclosed.

1. This Information Disclosure Statement is submitted:

a. ☐ within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
☐ within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;
☒ before the mailing date of a first Office Action on the merits; or
☐ before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

b. ☐ after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: ☐ the certification of paragraph 2 below is provided, or ☐ a fee of $180.00 is enclosed.

c. ☐ after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of $180.00 is enclosed.

2. It is hereby certified:

☐ that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

4. For each non-English language reference listed on the attached Form PTO-1449:

☐ reference is made to an English language translation submitted herewith, and/or

☐ reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

☐ reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

☐ reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or

☐ reference is made to the concise explanation set forth below:

5. ☐ Applicant also offers the following comments for the Examiner's consideration:

6. ☐ Also enclosed is a copy of a foreign search report citing these references.

7. ☐ The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. ☐ Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Conley, Rose & Tayon, P.C. Deposit Account No. 50-1505/5681-10100/RCK.

Respectfully submitted,



Robert C. Kowert
Reg. No. 39,255
Attorney for Applicant(s)

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P. O. Box 398
Austin, Texas 78767
(512) 476-1400

Date: November 13, 2002

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Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO. 5681-10100 APPLICANT: John G. Kennedy FILING DATE: March 6, 2002	SERIAL NO. 10/092,170 GROUP: 2152

U.S. PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	5,930,333	7/27/99	Jabbarnezhad			
	A2	5,901,208	5/4/99	Jabbarnezhad			

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FOREIGN PATENT DOCUMENTS

EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	A3	"Comparison of Reliability-Availability Mission Simulators," Reid Willis, Society of Reliability Engineers, printed from the web on January 16, 2002, 8 pages.
	A4	""New Tools for Systems Management," Sun Microsystems, Inc., 1994-2002, 5 pages.

EXAMINER: DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.